

REMARKS

Claims 1-8 are pending in the application, with Claims 1 and 5 being independent. In this Amendment, Claims 1-8 have been amended and Claims 9-12 have been added.

In view of the amendments above and the remarks below, Applicant respectfully requests reconsideration and allowance of the present application.

In the Office Action mailed January 14, 2005, the Examiner objected to the title as not descriptive of the invention. Applicant has presented a new title --IMAGE PICKUP APPARATUS AND METHOD FOR OUTPUTTING IMAGE AND SOUND DATA TO AN EXTERNAL STORAGE DEVICE-- which is believed to be clearly indicative of the claimed invention.

In addition to amending the title, minor typographical informalities noted during a review of the specification have been corrected. No new matter has been added.

Also in the Office Action, Claims 1, 3, and 7 were objected to for minor informalities. Claims 1, 3, and 7 have been amended herein in the manner suggested by the Examiner. Accordingly, withdrawal and reconsideration of the objection to Claims 1, 3, and 7 is respectfully requested.

In the Office Action, Claims 1-8 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite with respect to the interpretation of "recording means" and the phrase "to be recorded in said recording means". With regard to the claims as currently amended, this rejection is respectfully traversed.

Claims 1 through 8 have been amended to clarify the elements therein. With respect to the embodiment shown in Fig. 1, image pickup device 100 corresponds to the image capture apparatus of Claims 1 through 8. As shown in Fig. 1, the image pickup device 100 includes the recording unit 103, the storage medium 104 and the communication unit 106 which correspond to the recording unit, the storage medium and

the communication unit recited in Claims 1 through 8. The external storage device 120 of the embodiment of Fig. 1 corresponds to the external storage device of Claims 1 through 8. The elements 121, 122 and 123 of the external storage device 120 are clearly not part of the image pickup device 100 and do not correspond to elements in Claims 1 through 8 as currently amended. Accordingly, it is believed that Claims 1 through 8 as currently amended are not subject to multiple interpretations

As currently amended, Claims 1 and 5 provides that a communication unit capable of connecting with an external storage device outputs image and sound data that is to be recorded on a recording medium of an image capture apparatus. Accordingly, it is believed clear that the outputting of the communication unit is to the external storage device and that the recording of the image and sound data on the recording medium is only by the recording unit so that the output from the communication unit to the external storage unit is the output of the image and sound data that is to be recorded on the recording medium. It is therefore believed that Claims 1 through 8 as currently amended fully meet the requirements of 35 U.S.C. § 112, second paragraph.

Claims 1-8 have been rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,453,071 (Ito et al.). Without conceding the propriety of the rejection, and to advance prosecution, Applicant has amended independent Claims 1 and 5 to even more clearly recite its patentable features. At least as amended, Applicant submits that Claims 1 and 5 are patentably distinguishable from the cited art.

Specifically, independent Claim 1 as currently amended is directed to image capture apparatus in which a recording unit is adapted to record image and sound data on a recording medium and a communication unit capable of connecting with an external storage device outputs the image and sound data that is to be recorded on the recording medium. The image capture apparatus is capable of controlling the communication unit to start output of the image and sound data that is to be recorded on the recording medium in

response to an instruction of starting recording and to stop output of the image and sound data that is to be recorded in response to an instruction of stopping recording.

Independent Claim 5 as currently amended is directed to a method of controlling image capture apparatus that has a recording unit adapted to record image and sound data on a recording medium and a communication unit capable of connecting with an external storage device that outputs the image and sound data that is to be recorded on the recording medium. According to the method, the communication unit is controlled to start output of the image and sound data that is to be recorded in the recording unit in response to an instruction of starting recording. The communication unit is controlled to stop output of the image and sound data that is to be recorded in the recording unit in response to an instruction of stopping recording.

In Applicant's view, Ito et al. discloses a data communication apparatus that encodes information data by using a predetermined encoding method. Encoded information data is transmitted isochronously with a predetermined communication cycle when the encoding method corresponds to a decoding method at an object node apparatus and non-encoded information data is transmitted asynchronously with the communication cycle when the encoding method does not correspond to the decoding method at the object node apparatus. It is therefore possible to perform an encoding process for the information data to be transmitted, in accordance with a decoding performance at the object node apparatus, to improve a communication efficiency, and to reduce the capacity of a memory used for communications.

According to the invention of Claims 1 and 5 as currently amended, a communication unit connectable to an external storage device outputs image and sound data that is to be recorded on a recording medium of an image capture apparatus. The communication unit is controlled to start output of image and sound data that is to be recorded on a recording medium by a recording unit in response to a start instruction and to

stop output of the image and sound data that is to be recorded in response to a stop instruction. Advantageously, the communication unit output to the external storage device is controlled to function together with the recording of the recording unit.

Ito et al. may disclose an image recording/reproducing device 201 that has a recording medium (19) and communication means (18). As clearly shown in Fig. 18 of Ito et al., data that is output by 1394 I/F 18 is obtained from data already stored a memory 13 or a memory 15. The data in memory 15 that is to be output by 1394 I/F 18 is supplied from recording medium 19. As a result, Ito et al. only teaches outputting image data that has already been stored in recording medium 19 and is being reproduced therefrom but is devoid of any teaching or suggestion of the feature of a communication unit that outputs image and sound data that is to be recorded on a recording medium by a recording unit combined with the features of controlling the communication unit to start output of image and sound data that is to be recorded on the recording medium in response to a start instruction and stopping the output of the image and sound data in response to a stop instruction. Accordingly, it is believed that Claims 1 and 5 as currently amended are completely distinguished from Ito et al. and are allowable thereover.

Claims 1-8 have been rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,184,922 (Saito), in view of U.S. Patent No. 5,701,912 (Greening). With regard to the claims as currently amended, this rejection is respectfully traversed.

In Applicant's opinion, Saito et al. discloses a camera control unit that processes a signal output from an imaging device incorporated in an endoscope. The camera control unit is provided with an analog video signal output terminal through which a video signal is output to a monitor, and a digital video signal output terminal to which a still image-specific or motion picture-specific expansion unit is coupled in a freely detachable manner. By handling a release switch, a still image or motion picture can be

recorded digitally. Even when the recorded image data is edited or subjected to any other processing, deterioration of image quality can be prevented.

Greening et al., in Applicant's view, discloses a stereophonic system in an instrument for minimally invasive surgery which permits a surgeon to hear spatial sounds from within a body wall. The instrument comprises a cylindrical member with an internal end for positioning inside the body wall and an external end to remain outside the body wall. There are two audio channels provided on opposing sides of the cylindrical member extending longitudinally from acoustic openings at the internal end to the external end. Acoustical diaphragms protect the openings at the internal end, and a microphone is connected to each of the two audio channels at the exterior end of the cylindrical member. Each microphone produces an audio signal from each of the two audio channels. A stereophonic audio amplifier amplifies the signal from each microphone and a stereophonic acoustical system produces stereophonic sound.

As discussed with respect to Ito et al., it is a feature of Claims 1 and 5 that a communication unit outputs image and sound data that is to be recorded on a recording medium by a recording unit and another feature that the communication unit is controlled to start output of image and sound data that is to be recorded on the recording medium in response to a start instruction and stopping the output of the image and sound data in response to a stop instruction. Saito et al. only discloses recording image data through a camera control unit 6 and a motion picture specific expansion unit to a digital video output terminal 17 for recording. It is not seen, however, that Saito et al.'s outputting of a digitized image pickup signal to an external device which is connected to a recording device in any manner teaches or suggests that image data to be recorded on a recording medium by a recording unit is output by a communication unit which is controlled by start and stop instructions as in Claims 1 and 5.

Greening et al. has been cited as teaching the inclusion of microphones within endoscopes. With regard to the cited combination of Saito et al. and Greening et al., it is not seen that the addition of Greening et al.'s inclusion of microphones in an endoscope to Saito et al.'s outputting of a digitized image pickup signal to an external device which is connected to a recording device in any manner suggests the feature of a communication unit of image capture apparatus outputting image and sound data that is to be recorded on a recording medium by a recording unit combined with the feature of the communication unit being controlled to start output of the image and sound data that is to be recorded on the recording medium in response to a start instruction and to stop the output of the image and sound data in response to a stop instruction. It is therefore believed that Claims 1 and 5 as currently amended are completely distinguished from any combination of Saito et al. and Greening et al. and are allowable.

Added Claims 9 through 12 which depend from independent Claims 1 and 5 recited further features of the invention which are believed to be shown in the drawings and disclosed in the specification. No new matter is believed to have been added.

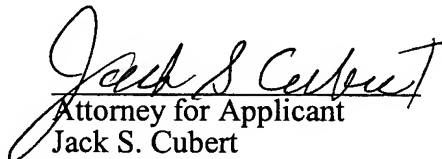
A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing, Applicant submits that the application is in condition for allowance. Favorable reconsideration and early passage to issue are respectfully requested.

Applicant's attorney, Daniel S. Glueck, may be reached in our Washington, D.C., office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address below.

Respectfully submitted,


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